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7 IN THE UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

10 JOSEPH FIORAVANTE, an individual;
11 MODERN ORTHOPAEDICS, LLC, a
12 Nevada Corporation,

13 Plaintiff,

14 vs.

15 LEICA MICROSYSTEMS, INC., a
16 Delaware corporation; SOUTH RIDGE
17 MICROSURGICAL, INC., a Utah
18 corporation; STEVE MILAZZO, an
19 individual (California); BRANDON
20 ELGGREN, an individual (Utah); DOES I
21 through X, inclusive; and ROE
22 CORPORATIONS I through X, inclusive,

23 Defendants.

24 **CASE NO. 2:18-cv-00059-GMN-CWH**

25 **STIPULATION AND ORDER FOR
26 EXTENSION OF TIME TO FILE A
27 RESPONSIVE PLEADING TO
28 PLAINTIFF'S COMPLAINT**

29 (**Second Request**)

30 COMES NOW, Plaintiffs Joseph Fioravante and Modern Orthopaedics, LLC,
31 ("Plaintiffs") and Defendants, Brandon Elggren and South Ridge Microsurgical, Inc., collectively
32 the ("Applicable Defendants"), through counsel, hereby stipulate and agree pursuant to Local
33 Rules 6-1, 6-2 and 7-1 as follows:

34 **STIPULATION**

35 IT IS HEREBY STIPULATED by Plaintiffs and Applicable Defendants that Defendants
36 Brandon Elggren and South Ridge Microsurgical, Inc. shall have an extension of time until April
37 2019.

1 9, 2018 to file a responsive pleading to Plaintiff's Amended Complaint [Dkt. 3] in order to allow
2 additional time for the Applicable Defendants to evaluate the allegations set forth in the Amended
3 Complaint and the factual circumstances underlying such allegations. Plaintiffs are agreeable to
4 the requested extension as a matter of professional courtesy.

5 This is the second stipulation for an extension of time for the Applicable Defendants to
6 respond to the Amended Complaint. The parties previously stipulated to extend Defendants'
7 deadline to file a responsive pleading until March 26, 2018.

8 IT IS FURTHER STIPULATED by the parties that this stipulation does not constitute any
9 waiver of claims for defenses and that the extension of time to file a responsive pleading includes
10 an extension to file a Motion to Dismiss pursuant to FRCP 12(b).

11 IT IS FURTHER STIPULATED by the parties that this stipulation is made in good faith
12 and not for the purposes of delay.

13

14 Dated: March 26, 2018

15

16 Dated: March 26, 2018

17 By: /s/ Matthew C. Piccolo
18 Matthew C. Piccolo
19 Nevada State Bar No. 14331
20 **PICCOLO LAW OFFICES**
21 8565 S. Eastern Ave., Ste. 150
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23 By: /s/ M. Lani Esteban-Trinidad*
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26 **THE THATER LAW GROUP, P.C.**
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28 Las Vegas, Nevada 89108
* With Permission

29

30 *Attorneys for Defendants Brandon Elggren*
31 *and South Ridge Microsurgical, Inc.*

32

33 *Attorneys for Plaintiffs Joseph*
34 *Fioravante and Modern Orthopaedics,*
35 *LLC*

36

37 **IT IS SO ORDERED:**

38

39 Dated: March 27, 2018

40

41 United States Magistrate District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 26, 2018, I caused to be served a copy of the foregoing **STIPULATION AND ORDER FOR EXTENSION OF TIME TO ANSWER PLAINTIFF'S COMPLAINT** via the United States District Court CM/ECF System upon all parties on the master e-service list.

Executed: March 26, 2018.

/s/ Matthew C. Piccolo
Matthew C. Piccolo